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FAX TRANSMISSIONDATE: *August 3, 2007*

TO: Commissioner for Patents
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FROM: J. Scot Wickhem

OUR REF.: 1291.1120101
TELEPHONE: 612.359.9312

Total pages, including cover letter: 5

PTO FAX NUMBER 571-273-8300

If you do NOT receive all of the pages, please telephone us at 612.677.9050 or fax us at 612.359.9349.

Title of Document Transmitted:

Revocation of Power of Attorney with New
Power of Attorney and Change of
Correspondence Address; Statement under 37
CFR 3.73(b); Fee Address Change and
Notification of Loss of Entitlement to Small
Entity Under 37 C.F.R. 1.27(g)(2)

Applicant: GILBERT M. AUST et al.
Serial No./ Patent No.: 09/707,445
Filed/ Issued: November 6, 2000
Our Ref. No.: 1291.1120101
Customer No.: 28075


RE39,152
June 27, 2006

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By:


J. Scot Wickhem, Reg. No. 41,376

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Kris Wilfrid*August 3, 2007*
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PTO/SB/22 (01-06)

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REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	09/707 445
	Filing Date	November 8, 2000
	First Named Inventor	GILBERT M. AUST
	Art Unit	N/A
	Examiner Name	N/A
	Attorney Docket Number	1291.1129101

I hereby revoke all previous powers of attorney given in the above-identified application.		RECEIVED
<input type="checkbox"/> A Power of Attorney is submitted herewith.		AUG 17 2007
OR <input checked="" type="checkbox"/> I hereby appoint the practitioners associated with the Customer Number: 28075		OFFICE OF PETITIONS
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<input type="checkbox"/> Applicant/Inventor.		
<input checked="" type="checkbox"/> Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		
SIGNATURE of Applicant or Assignee of Record		
Signature	<i>Gene DiPoto</i> VP R&D	
Name	Gene DiPoto, Vice President of Research and Development, ENDIUS, INC.	
Date	8/14/07	Telephone 508-643-0983
NOTE: Signatures of all the assignors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.		
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This collection of information is required by 37 CFR 1.35. The information is required to obtain or retain a patent by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT UNDER 37 CFR 3.73(b)

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Applicant/Patent Owner: GILBERT M. AUST et al.

AUG 17 2007

Application No./Patent No.: RE39,152Filed/Issue Date: June 27, 2006Entitled: SURGICAL INSTRUMENT

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ENDIUS INC.a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010437, Frame 0859, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

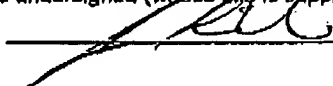
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☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

August 3, 2007

Date

J. Scott Wickhem

Printed or Typed Name

612-677-9050

Telephone Number

Attorney for Applicants

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GILBERT M. AUST et al.

Patent No.: RE39,152

Issued: June 27, 2006

Serial No.: 09/707,445

Filed: November 6, 2000

Docket No.: 1291.1120101

Customer No.: 28075

Title: SURGICAL INSTRUMENT

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**NOTIFICATION OF LOSS OF ENTITLEMENT TO
SMALL ENTITY UNDER 37 C.F.R. §1.27(g)(2)**

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Alexandria, VA 22313-1450

CERTIFICATE FOR ELECTRONIC TRANSMISSION

I hereby certify that this paper(s) is being electronically transmitted to the U.S. Patent and
Trademark Office on the date shown below

Kris Wilfong
Kris Wilfong

August 3, 2007
Date

Dear Sir:

In accordance with C.F.R. § 1.27(g)(2), Applicants hereby notify the United States Patent and Trademark Office that small entity status is no longer appropriate for the above-referenced patent matter.

Any inquiry regarding this matter may be directed to the undersigned representatives.

Respectfully submitted,

GILBERT M. AUST et al.

By their attorney

Date:

August 3, 2007

J. Scot Wickham
J. Scot Wickham, Reg. No. 41,376
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